



**LIETUVOS RESPUBLIKOS GENERALINĖ PROKURATŪRA  
PROSECUTOR GENERAL'S OFFICE OF THE REPUBLIC OF LITHUANIA**

Ms. Mary Ellen Warlow  
Director  
Division of International Affairs  
U.S. Department of Justice

Our ref.: 14.2-4863 (14.5-268)  
Your ref.:

Date: 11 July 2005

Re: LEGAL ASSISTANCE IN THE CRIMINAL CASE No. 10-1-70104-05

Dear Madam,

Prosecutor General's Office of the Republic of Lithuania presents its compliments to You and has the honour to request legal assistance in the following matter. This request is made further to the Agreement between the Government of the Republic of Lithuania and the Government of the United States of America concerning Mutual Legal Assistance in the Criminal Matters.

By this letter, we send the Request for the Legal Assistance in the investigation of the criminal case No. 10-1-70104-05 issued by the Economic Crimes Investigation Division of the Crimes Investigation Service of the Criminal Police of the Vilnius City Chief Police Commissariat of the Republic of Lithuania and request you to commission the competent law enforcement officials to execute the indicated acts.

Before interviewing witnesses, if that is not against the laws of your country, please explain each of them their responsibility to give the correct information about everything what is known in the case and that they will have to sign to confirm the correctness of the evidence.

We guarantee that the evidence collected in the United States of America will be used only for the purposes of the investigation and the hearing of the criminal case.

We hope that our request shall be executed and would like to take a chance to thank you in advance for the co-operation and legal assistance. We will satisfy an analogous or other request of yours.

Please send the answer and the collected material to the Vilnius City District Prosecutor's Office of the Republic of Lithuania at the address: Rinktinės Str. 7, Vilnius, Republic of Lithuania. We also request you to inform the Prosecutor General's Office of the Republic of Lithuania about the Execution of the request indicating our reference number as well as the date of sending.

Enclosures: 46 pages.

Respectfully,

Acting Prosecutor General



Vytautas Barkauskas

Translation from Lithuanian into English is done by Povilas Monkus the translator, Prosecutor General's Office. Translation corresponds to the original text.

A.Smetonos str. 4, LT-2709 Vilnius, Lithuania

Tel. +370 2 66 23 05  
Tel. +370 2 66 23 60

Fax. +370 2 66 23 17  
Fax. +370 2 66 23 86



**ECONOMIC CRIME INVESTIGATION SECTION OF  
CRIMINAL POLICE CRIME INVESTIGATION SERVICE OF  
VILNIUS CITY CHIEF POLICE COMMISSARIAT**

For the Law Enforcement Institutions of the United States of America

LEGAL ASSISTANCE ASSIGNMENT IN CRIMINAL CASE NO. 10-1-70104-05

Economic Crime Investigation Section of Crime Investigation Service of Criminal Police of Vilnius City Chief Police Commissariat conducts the pre-trial investigation in case No. 10-1-70104-05 on the basis of the elements of criminal act defined under Article 300 paragraph 1 of the Criminal Code of the Republic of Lithuania concerning forging of an official document.

**Article 300. Forging of an Official Document, or Use or Handling of a Forged Document**

1. Any person, who draws up a forged document, forges a true or forged document, uses or handles them,  
is punishable by a fine, or detention, or imprisonment for a term of up to three years.
2. Any person, who commits an act determined in paragraph 1 of this article, in case any huge damage is caused,  
is punishable by imprisonment for a term of up to five years.
3. A juridical person is also responsible for the acts, determined in this article.

The investigation has been initiated on the basis of 14 February 2005 O.Januškevičiūtė's, director of the private company of limited liability 'Savas krantas' (further – UAB 'Savas krantas'), at the address Aukštaičių str. 7, Vilnius, and B.Berdnikovas's, the former director of commerce of this company, statement, which indicates that Aleksandr Dulerain, the representative of the enterprise 'Virtus Trading Group LLC', forged the authorisations of this enterprise, which were granted to the lawyer Igor Romaškevičius for representing this enterprise in the courts of all instances and in the state institutions in the Republic of Lithuania., for the purpose to recover the loan from UAB 'Savas krantas' and Borisas Berdnikovas, to whom the enterprise 'Virtus Trading Group LLC' had granted it. Moreover, he forged the apostille, evidence on oath and in the year 2004 these documents were presented in court that investigated the actions brought against UAB 'Savas krantas' and B.Berdnikovas by the enterprise 'Virtus Trading Group LLC' concerning the unrepaid loan. Actually, the loan was returned during the years 2000 and 2001.

During the investigation it was determined that the enterprise 'Virtus Trading Group LLC' was established on the 7<sup>th</sup> of June 1995 and registered in the United States of America, Delaware. The full name and postal address in the State of Delaware of the person, who established this enterprise upon the assignment of its members, is as follows: Sid Garnett, Chemical Bank Plaza, Suite 1600, 1201 North Market Street, Wilmington, DE 19801. The

Code 191688326

T.Kosciuškos Str. 8a  
01100 Vilnius

Tel.: (8-5) 271 8143 / 271 8140  
Fax.: (8-5) 271 8186



The text was translated into the English language by J. Bareikaite

I was also warned under Art. 235 of the Criminal Code of the Republic of Lithuania on the wrongfully done translation. Translation corresponds to the original text.

enterprise was created and its management is the responsibility of the enterprises 'Saturn Investment Group, S.A.', at the address Suite 302, East building No. 34/20, Cuba Avenue 34<sup>th</sup> St. Panama City 5, Panama, the authorised person of which is Pedro Alvarez Garcia, and 'Star Group Finance Holdings, Inc.', at the address Suite 302, East building No. 34/20, Cuba Avenue 34<sup>th</sup> St. Panama City 5, Panama, the authorised person of which is Sydney Tavarez. However, during the period from the year 2000 until 1 March 2004 Aleksandr Dulerain was acting on behalf of the enterprise 'Virtus Trading Group LLC' as an authorised person. In the years 2004 and 2005 the lawyer I. Romaškevičius presented in court the apostilles, dated 22 March 2004, 24 May 2004, 13 October 2004 and 22 February 2005, the evidence on oath, dated 19 March 2004, 21 May 2004 and 11 October 2004, 21 February 2005 notary verification, verification documents, dated 10 February 2005 and 20 September 2004, by Harriet Smith Windsor, the secretary in the State of Delaware, which are possibly fake.

With reference to what has been set forth and following Article 66 of the Code of Criminal Procedure of the Republic of Lithuania and 11 June 1998 agreement between the Government of the Republic of Lithuania and the Government of the United States of America concerning 'Mutual Assistance in Criminal Cases', and seeking thoroughly to investigate the criminal case and determine whether the documents, which were presented in court, are not fake we kindly request the law enforcement institutions of the United States of America:

1. To interview as a witness Harriet Smith Windsor, the public secretary in the State of Delaware, seeking to determine whether the apostilles, dated 22 March 2004, 24 May 2004, 13 October 2004 and 22 February 2005, and the verification documents of the state of the enterprise 'Virtus Trading Group LLC', the copies of which are enclosed, were issued and undersigned; if yes, when and where she signed them, to whom she returned them.

2. To interview as a witness Sid Garnett (postal address in the State of Delaware is: Chemical Bank Plaza, Suite 1600, 1201 North Market Street, Wilmington, DE 19801) for the purpose of determining:

- Whether he signed 27 June 1995 certificate of establishment of the enterprise 'Virtus trading Group LLC', the copy of which is enclosed.
- Whether the evidence on oath, dated 19 March 2004, 21 May 2004 and 11 October 2004, was issued and signed by him (the copies are enclosed); if yes, when and where he signed these documents, to whom he returned them.

3. To interview as a witness Mary L. Quinn, the notary in the State of Delaware, for the purpose of determining whether the evidence on oath, dated 19 March 2004, 21 May 2004 and 11 October 2004, and 21 February 2005 notary verification, the copies of which are enclosed, were issued and undersigned by her; if yes, when and where she signed them, to whom she returned them.

ENCLOSED: 11 pages

We kindly appreciate your co-operation.

Chief

/signature/

Andrejus Lapickis



# Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document:

2. has been signed by Mary L. Quinn

3. acting in the capacity of Notary Public of the State of Delaware

4. bears the seal/stamp of Mary L. Quinn, Notary Public, State of Delaware

## Certified

5. at Dover, Delaware

6. the twenty-second day of March, A.D. 2004

7. by Secretary of State, Delaware Department of State

8. No. 0222944

9. Seal/Stamp:



10. Signature:

*Harriet Smith Winsor*

Secretary of State



*Kopija iš*

VILNIAUS MIESTO  
APYLINKĖS PROKURATŪRA  
Civilinė prokuratūra

63  
NUORASAS

# Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document:

2. has been signed by Mary L. Quinn  
3. acting in the capacity of Notary Public of the State of Delaware  
4. bears the seal/stamp of Mary L. Quinn, Notary Public, Delaware

## Certified

5. at Dover, Delaware  
6. the twenty-fourth day of May, A.D. 2004  
7. by Secretary of State, Delaware Department of State  
8. No. 0227832  
9. Seal/Stamp:



10. Signature:

*Herriet Smith Winsor*

Secretary of State



*Lejija tava*  
VILNIAUS MIESTO  
APYLINKĖS PROKURATŪRA

# Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America

This public document:

2. has been signed by Mary L. Quinn

3. acting in the capacity of Notary Public of the State of Delaware

4. bears the seal/stamp of Mary L. Quinn, Notary Public, Delaware

## Certified

5. at Dover, Delaware

6. the thirteenth day of October, A.D. 2004

7. by Secretary of State, Delaware Department of State

8. No. 0237352

9. Seal/Stamp:



10. Signature:

*Harriet Smith Windsor*

Secretary of State



*Kopija* *litva* *Kopija* *litva*  
VILNIAUS MIESTO  
APYLINKŲ PROKURATŪRA  
Romaskevičius

NUORASAS

# Apostille

(Convention de La Haye du 5 Octobre 1961)

1. Country: United States of America
2. This public document:  
has been signed by Mary L. Quinn
3. acting in the capacity of Notary Public of the State of Delaware
4. bears the seal/stamp of Mary L. Quinn, Notary Public, Delaware

## Certified

5. at Dover, Delaware
6. the twenty-second day of February, A.D. 2005
7. by Secretary of State, Delaware Department of State
8. No. 0247161
9. Seal/Stamp:
10. Signature:



*Harriet Smith Winsor*  
Secretary of State



# Delaware

PAGE 1

## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "VIRTUS TRADING GROUP L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TENTH DAY OF FEBRUARY, A.D. 2005.



*Gaudentas Balčiūnas*  
VILNIAUS MIESTO  
APYLINKES PROKURATūra  
Skylaus prokuroras  
Gaudentas Balčiūnas

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State  
AUTHENTICATION: 3676306

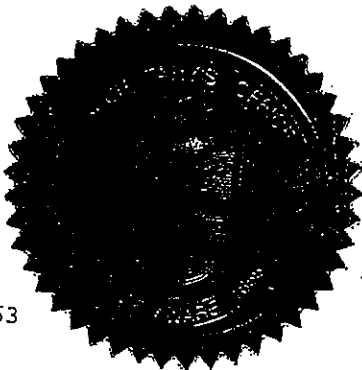
*Delaware*

PAGE 1

151

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY "VIRTUS TRADING GROUP L.L.C." IS  
DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN  
GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF  
THIS OFFICE SHOW, AS OF THE TWENTIETH DAY OF SEPTEMBER, A.D.  
2004.



Advokatas  
*I. Romaškevičius*

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3360514

DATE: 09-20-04



584

677463

CERTIFICATE OF FORMATION

OF

VIRTUS TRADING GROUP L.L.C.

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150

FIRST: The name of the limited liability company is Virtus Trading Group L.L.C.

SECOND: The address of its registered agent in the State of Delaware is Chemical Bank Plaza, Suite 1600, 1201 N. Market Street in the City of Wilmington, County of New Castle. The name of its Registered Agent at such address is American Incorporators Ltd.

THIRD: The purpose of the limited liability company shall be to engage in any lawful act or activity for which a limited liability company may be formed under the Limited Liability Company law of the State of Delaware.

FOURTH: The limited liability company shall exist for a period of thirty (30) years from the date the Delaware Secretary of State issues a Certificate of Formation, unless dissolved by law.

FIFTH: Management of the limited liability company is vested in the members in accordance with their ownership interests, unless this is varied by the operating agreement. A limited liability company member may not assign, wholly or partially, the right to participate in management without the written consent of all limited liability company members. The initial two members to form the limited liability company shall be:

Star Group Finance and Holding, Inc.  
Suite 302  
East Building No. 34/20  
Cuba Avenue & 34th St.  
Panama City 5, Panama

Saturn Investment Group, S.A.  
Suite 302  
East Building No. 34/20  
Cuba Avenue & 34th St.  
Panama City 5, Panama

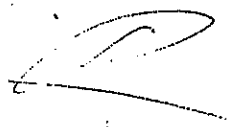
SIXTH: The name and mailing address of the person forming this limited liability company at the instruction of its members is as follows:

Sid Garnett  
Chemical Bank Plaza, Suite 1600  
1201 North Market Street  
Wilmington, DE 19801


IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Virtus Trading Group L.L.C. this twenty-seventh day of June, 1995.

  
Sid Garnett  
Authorized To Execute Articles Only

Advokatas  
Domashevicius





  
VILNIAUS MIESTO  
APYLINKES PROKURATŪRA  
Škyriaus prokuroras  
Audantienė Balčiūnaitė

72

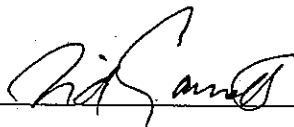
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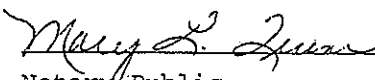
STATE OF DELAWARE :

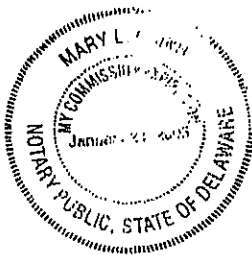
NEW CASTLE COUNTY :

I, Sid Garnett, do hereby declare that the attached document is a true and correct original Power of Attorney of Virtus Trading Group LLC, a Delaware limited liability company, to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
Sid Garnett

SWORN AND SUBSCRIBED before me, a Notary Public for the state and county aforesaid, this 19<sup>th</sup> day of March, 2004.

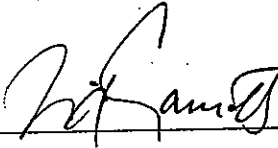
  
\_\_\_\_\_  
Notary Public



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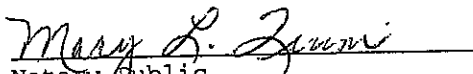
STATE OF DELAWARE :  
 : SS:  
COUNTY OF NEW CASTLE :

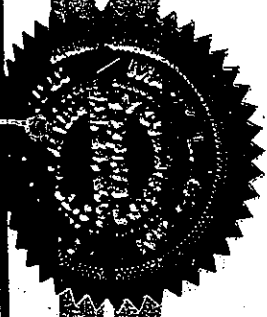
Sid Garnett, hereby certify that herewith attached is a true  
copy of certified certificate of formation, true copy of limited  
liability company operating agreement and special power of attorney  
for Sid Garnett Trading Group LLC, a Delaware limited liability company  
to the best of my knowledge, information and belief.



Sid Garnett

FOR AND SUBSCRIBED before me, a Notary Public for the state and  
County aforesaid, this 21<sup>st</sup> day of May 2004.

  
Notary Public



AFFIDAVIT

STATE OF DELAWARE :


:

NEW CASTLE COUNTY :

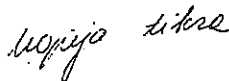
I, Sid Garnett, do hereby declare that the attached documents consist of a true and correct original Special Letter dated October 1, 2004, a copy of the Parex Bank Letter dated July 29, 2003, a copy of the Certificate of Formation and an original Certificate of Good Standing of Virtus Trading Group L.L.C., a Delaware limited liability company, to the best of my information, knowledge and belief.

  
Sid Garnett

SWORN AND SUBSCRIBED before me, a Notary Public for the state and county aforesaid, this 11<sup>th</sup> day of October, 2004.

  
Notary Public



  
Advokatas  
I. Romaškevičius

  
Advokatas  
I. Romaškevičius

NOTARIAL CERTIFICATION

STATE OF DELAWARE :  
: SS:  
COUNTY OF NEW CASTLE :

I, Mary L. Quinn, a notary public for the state and county aforesaid, do hereby declare that the company VIRTUS TRADING GROUP L.L.C. ("the Company") has been incorporated in the State of Delaware and currently exists in good legal standing as evidenced by the attached Certificate of Good Standing dated February 10, 2005.

I furthermore declare that the attached power of attorney for the Company has been prepared and presented in order to replace the earlier similar power of attorney prepared with technical typing errors, to the best of my knowledge, information and belief.

SWORN AND SUBSCRIBED this 31<sup>st</sup> day of February, 2005.



*Mary L. Quinn*  
Mary L. Quinn  
Notary Public

